

**2.0    RESPONSE**

**2.1    CHANGE OF COUNSEL**

Applicant notes for the record that representation of this matter has very recently been transferred to the newly-appointed undersigned representative who has also recently relocated his practice from Williams, Morgan & Amerson (customer number 0023720) to Haynes and Boone, LLP (customer number 0027683) effective March 9, 2005. Authorization for the transfer of this matter to the new firm has been granted and the undersigned representative's new firm is submitting a revocation of power of attorney, a new power of attorney, and a change of customer number/correspondence address to formalize this representation change. The executed power of attorney will be submitted to the office under separate cover.

**The new attorney docket number for this case is 36698.4,** and Applicant appreciates the Examiner's so noting of this in subsequent communication with the new undersigned representative, whose contact information is as follows:

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**2.2    STATUS OF THE CLAIMS**

Claims 110-113, 116-164, 167-172, 174-181, 184, 186-189, 191-193, 195-208, and 211-226 were pending at the time of the present Action.

Claims 110-113, 116-136, 147-148, 152-156, 181, 184, 186-189, 191-193, 195-202, 208, 211-216, and 219 have been indicated by the Examiner as allowable.

Claims 137-143, 149-151, 158-161, 163-164, 167-168, 177-180, 217-218, and 223-226 have been canceled herein without prejudice and without disclaimer.

Claims 144-146, 157, 162, 169-172, 174-176, 203-207 and 220-222 have been amended herein.

Claims 110-113, 116-136, 144-148, 152-157, 162, 169-172, 174-176, 181, 184, 186-189, 191-193, 195-208, 211-216, and 219-222 remain pending in the case, and are all believed to now be in condition for ready allowance.

According to the revisions to 37 C. F. R. § 1.121(c), a clearly marked copy of the status of the claims is provided in the amendment above.

### **2.3 SUPPORT FOR THE PENDING CLAIMS**

Complete support for the language of all pending claims can be found throughout the original claims, Specification and figures as originally filed. Certain claims have been re-drafted to more clearly and distinctly point out that which Applicants regards as their invention. Specific support for the amendment to claim 157, for example, may be found in the specification at least on pages 61-63. It will be understood that no new matter is included within any of the revised claims. In light of the claims canceled to date, no additional fees for claims should be due.

### **2.4 THE OBJECTION TO THE SPECIFICATION IS OVERCOME**

*(RE: ACTION, ITEM 7, AT PAGE 8)*

*The Specification was objected to for failure to identify trademarked products.*

Applicants respectfully traverse. However, they have nevertheless elected to amend the sections of the specification containing the 3 objected trademarked products, to provide more clarity concerning the commercial sources of these products.

The Centricon-30™ device is a centrifugal filter unit that may be obtained from Millipore Corporation, Billerica, MA. The Mono S™ column and the Phenyl Sepharose™ affinity chromatographic media may be obtained from GE Healthcare [formerly Amersham Biosciences, Inc.], Waukesha, WI).

Applicants now respectfully request that the objection to the Specification be withdrawn.

## **2.5 THE OBJECTION TO CLAIMS IN IMPROPER FORM IS OVERCOME**

*(RE: ACTION, ITEM 9, AT PAGE 8)*

*Claims 140-143, 164, 167-172, 174-177, ad 203-207 were objected to allegedly as being in improper form.*

Applicants respectfully traverse. However, with respect to claims 140-143, and 177 the rejection is now moot, as the claims have been canceled herein without prejudice and without disclaimer. With respect to claims 164, 167-172, 174-176, and 203-207, the Applicants appreciate the helpful suggestions of the Examiner in more distinctly claiming their invention, and as such, have modified the claims so that they do not reference multiple antecedent claims. As such, the perceived lack of clarity is now resolved.

Applicants now respectfully request that this objection to the claims be withdrawn.

## **2.6 THE FIRST OBJECTION TO CLAIMS UNDER 37 C. F. R. § 1.75 IS OVERCOME**

*(RE: ACTION, ITEM 11, AT PAGE 8)*

*Claims 139-143, 164, 167-172, 177, and 204-207 were objected allegedly as being in improper multiple-dependent form.*

Applicants respectfully traverse. However, with respect to claims 139-143, and 177 the rejection is now moot, as the claims have been canceled herein without prejudice and without disclaimer. With respect to claims 164, 167-172, 174-176, and 203-207, the Applicants have modified the claims so that they are not improperly multiply dependent. As such, the perceived lack of clarity is now resolved, and as such, Applicants now respectfully request that this objection to the claims be withdrawn.

## **2.7 THE SECOND OBJECTION TO CLAIMS UNDER 37 C. F. R. § 1.75 IS OVERCOME**

*(RE: ACTION, ITEM 12, AT PAGES 8-9)*

*Claims 217 and 220-226 were objected allegedly as being substantial duplicates of existing claims.*

Applicants respectfully traverse. However, with respect to claims 217 and 223-226 the rejection is now moot, as the claims have been canceled herein without prejudice and without disclaimer. With respect to claims 220-222, the Applicants have modified claims 144-146 so that they are not substantially duplicative of other allowable claims. As such, Applicants now believe that the perceived lack of clarity is now fully resolved, and as such, respectfully request that this objection to the claims be withdrawn.

## **2.8 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 112, 1<sup>ST</sup> PARAGRAPH, IS OVERCOME**

*(RE: ACTION, ITEM 19, AT PAGE 10)*

*Claims 137-143, 149-151, 157-161, 163-164, 167-168, 177-180, 203, and 218 were rejected allegedly as lacking enablement for reasons of record.*

Applicants respectfully traverse. However, with respect to claims 137-143, 149-151, 158-161, 163-164, 167-168, 177-180, and 218 the rejection is now moot, as the claims have been canceled herein without prejudice and without disclaimer. With respect to claims 157 and 203, owing to patent term and prosecution cost considerations of the small entity inventor, Applicants have elected to modify these claims to more distinctly claim particular aspects of the invention, which are considered to be fully supported and enabled by the present specification. For these and all reasons and argument already of record in the lengthy file history, Applicants now believe that all pending claims are allowable, and therefore, respectfully request that this rejection be withdrawn.

## **2.9 REQUEST FOR EXAMINER INTERVIEW**

Applicants believe the present paper to be a full, timely, and complete response to the Final Office Action. Applicants further believe that all remaining claims are free of rejection and are in condition for allowance. Pursuant to M. P. E. P. § 713.01 and 37 C. F. R. §1.133, and owing to a change in primary counsel for the present application, should any issues remain, however, with respect to any of the pending claims after the Examiner has considered the present amendment and accompanying remarks, a telephone call to the Applicants' new undersigned representative is earnestly solicited. Applicants request that such a call be made within 30-days' receipt and consideration of the present paper to schedule an Examiner Interview prior to the issuance of an Advisory Action on the merits.

However, if no issues remain and a Notice of Allowance is issued for all pending claims, Applicants will withdraw this request, and the case may be scheduled for issue.

### 3.0 CONCLUSION

It is respectfully submitted that the pending claims are fully enabled by the Specification, that all pending claims are definite, and free of the cited prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in conditions for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants further respectfully request, therefore, the withdrawal of all rejections and that a Notice of Allowance be issued in the case with all due speed. Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, a telephone call to the undersigned Applicants' new representative would be appreciated.

Respectfully submitted,

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CUSTOMER NO. 0027683



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Date: July 15, 2005

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